

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC	§	Civil Action No. 6:12-CV-499 MHS
<i>Plaintiff,</i>	§	
	§	LEAD CASE
v.	§	
	§	
TEXAS INSTRUMENTS, INC.	§	
<i>Defendant.</i>	§	

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BLUE SPIKE, LLC,	§	Civil Action No. 6:13-CV-60 MHS
<i>Plaintiff,</i>	§	
v.	§	CONSOLIDATED CASE
	§	
CBS INTERACTIVE INC.	§	
<i>Defendant.</i>	§	
	§	
	§	

**DEFENDANT CBS INTERACTIVE INC.'S NOTICE OF  
JOINDER AND JOINDER IN AUDIBLE MAGIC CORPORATION'S AND ITS  
CUSTOMERS' MOTION TO TRANSFER VENUE TO THE UNITED  
STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

Defendant CBS Interactive Inc. (“CBSi”) hereby provides notice that it joins in *Audible Magic Corporation’s and its Customers’ Motion to Transfer Venue to the United States District Court for the Northern District of California under 28 U.S.C. §1404 (a)* (Dkt. 771) (“Motion to Transfer”).

CBSi is accused in the complaint in the above-referenced action based on Audible Magic Corp.’s content identification services and technology used in connection with the “CBS Sync” product accused in the complaint. *See Declaration Of Jonathan Mantell In Support Of Defendant Audible Magic Corporation’s And Its Customers’ Motion To Transfer Venue To The United States District Court For The Northern District Of California Under 28 U.S.C. § 1404(a)*. Thus, CBSi adopts by reference the briefing and argument in support of the Motion to Transfer and requests that the Court order Blue Spike, LLC’s claims against CBSi (Case No. 6:13-cv-60) be transferred to the Northern District of California.

June 24, 2013

Respectfully submitted,

/s/ Andrew L. Perito

Edward R. Reines

Cal. Bar No. 135960 – Admitted to E.D. Texas

Lead Attorney

edward.reines@weil.com

Andrew L. Perito

Cal. Bar No. 269995 – Admitted to E.D. Texas

andrew.perito@weil.com

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802-3000

Facsimile: (650) 802-3100

**Attorneys for Defendant CBS Interactive Inc.**

**CERTIFICATE OF CONFERENCE PURSUANT TO LOCAL RULES CV-7(h) and (i)**

I hereby certify that Defendants have complied with the meet and confer requirement of Local Rule CV-7(h). On May 22, 2013, counsel for CBSI (Andrew Perito) met and conferred via telephone with counsel for Blue Spike, Inc. (Christopher Honea) regarding the present motion. Counsel for Blue Spike, Inc. indicated that it opposes this motion and discussions have conclusively ended in an impasse, leaving an open issue for the Court to resolve.

Dated: June 24, 2013

/s/ Andrew L. Perito

Andrew L. Perito

**CERTIFICATE OF SERVICE**

I hereby certify on this 24th day of June, 2013 that a copy of the foregoing was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel of record who have consented to electronic service through the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3).

/s/Andrew L. Perito

Andrew L. Perito